

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail, in an envelope addressed to: MS Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: 10/25/06 Signature: Janice Ryan

Docket No.: BBNT-P02-369

(PATENT)



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First named inventor:

Robert J. Donaghey

Application No.: 10/058442

Confirmation No.: 5927

Filed: January 28, 2002

Art Unit: 2662

For: SYSTEMS AND METHODS THAT IDENTIFY
NORMAL TRAFFIC DURING NETWORK
ATTACKS

Examiner: Pizarro, Ricardo M.

AMENDMENT IN RESPONSE TO NON-FINAL OFFICE ACTION

MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

INTRODUCTORY COMMENTS

In response to the Office Action dated July 27, 2006, please amend the above-identified U.S. patent application as follows:

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks/Arguments begin on page 11 of this paper.



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AMENDMENT TRANSMITTAL LETTER				Docket No. BBNT-P02-369	
Application No. 10/058,442	Filing Date January 28, 2002	Examiner R. W. Wilson	Art Unit 2616		
Applicant(s): Robert J. Donaghey					
Invention: SYSTEMS AND METHODS THAT IDENTIFY NORMAL TRAFFIC DURING NETWORK ATTACKS					
TO THE COMMISSIONER FOR PATENTS					
Transmitted herewith is an amendment in the above-identified application.					
The fee has been calculated and is transmitted as shown below.					
CLAIMS AS AMENDED					
	Claims Remaining After Amendment	Highest Number Previously Paid	Number Extra Claims Present	Rate	
Total Claims	28	- 47 =	0	x 50.00	0.00
Independent Claims	7	- 8 =	0	x 200.00	0.00
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					
Other fee (please specify):					
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT:					0.00
<input checked="" type="checkbox"/> Large Entity <input type="checkbox"/> Small Entity					
<input checked="" type="checkbox"/> No additional fee is required for this amendment.					
<input type="checkbox"/> Please charge Deposit Account No. _____ in the amount of \$ _____. A duplicate copy of this sheet is enclosed.					
<input type="checkbox"/> A check in the amount of \$ _____ to cover the filing fee is enclosed.					
<input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached.					
<input checked="" type="checkbox"/> The Director is hereby authorized to charge and credit Deposit Account No. <u>18-1945</u> as described below. A duplicate copy of this sheet is enclosed.					
<input checked="" type="checkbox"/> Credit any overpayment.					
<input checked="" type="checkbox"/> Charge any additional filing or application processing fees required under 37 CFR 1.16 and 1.17.					
 Edward A. Gordon, Esq. Attorney/Agent Reg. No.: 54,130 FISH & NEAVE IP GROUP, ROPES & GRAY LLP One International Place Boston, Massachusetts 02110-2624 (617) 951-7066				Dated: <u>October 25, 2006</u>	
I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the U.S. Postal Service on the date shown below with sufficient postage as First Class Mail, in an envelope addressed to: MS Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.					
Dated: <u>10/25/06</u>		Signature: <u>Joanne Ryan</u> (Joanne Ryan)			